

ORDINANCE NO. \_\_\_\_\_, SERIES 2007

AN ORDINANCE AMENDING SECTIONS 156.051(B), ~~156.055(D)~~ AND 51.500 OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT CODE OF ORDINANCES ("CODE") MAKING IT THE SOLE RESPONSIBILITY OF A LANDOWNER TO ENSURE THAT HIS OR HER PREMISES IS FREE OF WEEDS AND PROHIBITED PLANT GROWTH AND THAT A CONTRACT IS IN PLACE AND MAINTAINED FOR THE DISPOSAL OF SOLID WASTE FOR RESIDENTIAL PROPERTY, AND THAT AN OWNER AND OCCUPANT ARE RESPONSIBLE FOR ENSURING THAT A CONTRACT IS IN PLACE FOR THE DISPOSAL OF SOLID WASTE FOR COMMERCIAL AND INDUSTRIAL ESTABLISHMENTS (AS AMENDED).

SPONSOR: Councilmen Rick Blackwell, Bob Henderson and James Peden

BE IT ORDAINED BY THE LEGISLATIVE COUNCIL OF THE LOUISVILLE/JEFFERSON COUNTY METRO GOVERNMENT ("COUNCIL")

AS FOLLOWS:

**SECTION I.** Sections 156.051(B)(1) and ~~(5)~~ of the Code are is hereby amended to read as follows:

(1) *Cleanliness.* Every occupant of a structure or part thereof shall keep that part of the structure or premises which that occupant occupies, controls, or uses in a clean, safe and sanitary condition, and in the case of a single-family structure, the ~~occupant~~ owner shall keep the premises free of all weeds and prohibited plant growth, as defined in § 156.052(D), to the center line of such street, easement or alley as are adjacent to or abut the premises. Nothing in this Section shall invalidate a lease provision. The Metro Government hereby declares that plant growth in excess of the length permitted under §156.052(D) materially affects public health and safety and creates an emergency condition which allows

a landlord to enter immediately upon the premises of a tenant as provided by §151.33(B) solely to remedy such condition. Every owner of a dwelling containing two or more dwelling units shall maintain, in a clean, safe and sanitary condition, and free of all weeds and prohibited plant growth, as defined in § 156.052(D), the shared or public areas of the dwelling and premises thereof to the center line of such street, easement or alley as are adjacent to or abut the premises. Any plant growth exceeding ten inches in height on land of three acres or more that abuts residential property, other than crops, trees, bushes, flowers or other ornamental plants, shall be at least 50 feet from the property line abutting the developed neighborhood.

~~(5) *Rubbish storage facilities.* Every dwelling unit shall be supplied with leakproof approved containers as required by § 156.055(E) for storage of rubbish, and the occupant owner shall be responsible for the removal of such rubbish.~~

**SECTION II.** ~~Section 156.055(D) of the Code is hereby amended to read as follows:~~

~~—————(D) *Disposal of garbage.* Every occupant of a structure shall dispose of garbage in a clean and sanitary manner by placing such garbage in an approved garbage disposal facility or approved garbage containers. The owner of the premises shall be responsible for the removal of garbage.~~

**SECTION III.** Section 51.500 of the Code is hereby amended to read as follows:

§ 51.500 MANDATORY SOLID WASTE COLLECTION.

(A) It shall be the duty of the owner ~~and occupant~~ of every residence and the owner and occupant of every commercial or industrial establishment to provide for not less frequent than weekly disposal of all solid waste generated by either:

(1) Employing the services of a solid waste collection and disposal service;

(2) Having use of the service of a municipally-provided waste hauler; or

(3) Having solid waste collection and disposal services through the Urban Services District.

(B) The owner ~~and occupant~~ of said residence or the owner and occupant of said commercial or industrial establishment that does not have use of a municipally-provided solid waste collection and disposal service must be able to produce evidence of compliance with subsection (A)(1) above in the form of a paid receipt from the solid waste collection and disposal service employed by the owner and/or occupant, as the case may be.

**SECTION IV.** This Ordinance shall take effect upon its passage and approval.

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Kathleen J. Herron  
Metro Council Clerk

\_\_\_\_\_  
Rick Blackwell  
President of the Council

\_\_\_\_\_  
Jerry E. Abramson  
Mayor

Approved: \_\_\_\_\_  
Date

APPROVED AS TO FORM AND LEGALITY:

Irv Maze  
Jefferson County Attorney

BY: \_\_\_\_\_

Draft 8 epm 2/27/07 9:15 a.m. Comm Amendment 2